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Docket No.: C15043/174944

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :)
Harold M. Bates)
Serial No.: 10/777,543) Examiner: Not yet assigned
Filed: February 12, 2004) Expected Art Unit: 1646
For: DETECTION OF ASYMPTOMATIC)
CORONARY ARTERY DISEASE)
USING ATHEROGENIC PROTEINS)
AND ACUTE PHASE REACTANTS)

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant wishes to make of record the two documents identified below
(clean copies and a Form PTO-1449 listing them are enclosed):

160. June 8, 2005 International Search Report and Written Opinion for
PCT/US05/02327, which international application corresponds to the above-captioned
US application

161. Armitage & Colton (editors), *Encyclopedia Of Biostatistics*, volume 5, pages
3628-3629 and 3838-3842 (1998)

REMARKS

The relevance of items 160 and 161 are set forth below.

160. June 8, 2005 International Search Report and Written Opinion for PCT/US05/02327 are the International Search Report and Written Opinion for the international application corresponding to the above-captioned US application.

161. Armitage & Colton (editors), *Encyclopedia Of Biostatistics*, volume 5, pages 3628-3629 and 3838-3842 (1998), is one of the two document cited by the PCT Examiner (in document 160), although it was designated to be an "A" document, i.e., a "document defining the general state of the art which is not considered to be of particular relevance." As the title suggests, the document concerns statistics and, in particular, risk (e.g., risk assessment) and quantiles.

* * *

Document 160 (the International Search Report and Written Opinion) is of substantial relevance simply because it is for the PCT application corresponding to the above-captioned US application; however, applicant does not agree with the conclusion or reasoning of the PCT Examiner set forth in the International Search Report and Written Opinion. Document 161 is relevant because it was cited by the PCT Examiner in the International Search Report, but it was cited as being an "A" document, i.e., a "document defining the general state of the art which is not considered to be of particular relevance." (In the International Search Report and Written Opinion, the PCT Examiner also cited and relied on US 6,309,888, but that document is already of record in the above-captioned US application as document no. 20 – see original Information Disclosure Statement, which was filed with the application.)

The Examiner's independent consideration of these documents and of their relevance is respectfully requested. The Examiner is also requested to initial and return a copy of the accompanying PTO-1449 Form to evidence such consideration.

This THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT is being filed in accordance with the provisions under 37 CFR § 1.97(b)(3) based on applicant's belief that it is being filed before the mailing of a first Office Action on the merits. In addition, pursuant to 37 CFR § 1.97(c), applicant also states that

each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office [in this case, a PCT office] in a counterpart foreign application not more than three month prior to the filing of the Information Disclosure Statement.

Thus, a fee is not required for filing this paper; however, if any fee is owed, please charge the fee to our Deposit Account No. 02-4467.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on June 14, 2005
(Date of Deposit)

Stephen P. Gilbert
Signature

Respectfully submitted,

Stephen P. Gilbert
Stephen P. Gilbert
Registration No. 27,893

BRYAN CAVE LLP
1290 Avenue of the Americas
New York, NY 10104
Phone: (212) 541-2000
Fax: (212) 541-4630

Form PTO-1449 (Rev.) JUN 17 2005 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. C15043/174944	SERIAL NO. 10/777,543
	APPLICANTS Harold M. Bates	
	FILING DATE February 12, 2004	GROUP 1646

U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	U.S. Patent Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	June 8, 2005 International Search Report and Written Opinion for PCT/US05/02327.
	Armitage & Colton (editors), <i>Encyclopedia of Biostatistics</i> , volume 5, pages 3628-3629 and 3838-3842 (1998).
EXAMINER	DATE CONSIDERED
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	